App F. IX-4

1931.32 (Previous)

Mem File No. 165-3

Previous References
Mem Ref 144-34

Serial Nos. 3—5

Later References
Mem 922-34-1 4
117 36 1-E

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3

Part B for April 1936

SUBJECT.

Distribution of Paraparas Mariyade to the Sri Varadaraja Swamy Vari Tirunal Utsavam.

General and Revenue Secretariat — File No. 165 of 193 [illegible]

Serial No.

[illegible]

[illegible] Secretariat

[illegible] regarding the P.W.D. Let me have a list of the pending Cases. In what stage are they now? Why not fix a definite period of time for all cases of this kind within which each pending case should be finally disposed of one way or other."

(2) The list referred to above to be prepared under preparation for sale"

(3) As the P.W.D. relaxed to excess Margadas shown to Sri Parabrahma Mutt, it would be useful if a report to now called for.

4) Sri Mr. (a copy of Sri Mr. Dis. 4 as more reminder issued to the Dis. 4 Sri Mr. 8/1 Mr. Putting up for perusal)

I as per the same subject, viz, unassumed Margadas shown in favour of the Sri Parabrahma Mutt, referred to in another petition presented to the Diwan

NOTE—Contn. Sheet.

File No | of 193 | General and Revenue Secretariat

recently and referred to the Murray Case? The Connected file may be perused.

The typed Statement of pending cases referred to in the margin of last page may also be perused.

Sd/ 11/2

1) The 165-31-2 regd. in para 5 is likely (vide flag K).

Whereas certain irregularities about seven years back regarding the Petition dealing with the Notice of Gowl has been sent to the C. Confidential report of action taken thereon.

List of pending cases called for in para 6 is sent. (vide flag K), As the Petition entirely was against the Excise Inspectors should be perused, Dpt (already sent) Calling for report from the M.C. is for orders.

GS 15/1

The subject of Petition in question is practically the same as the one sent to the Murray Case in the enclosed file the petn may be sent in continuation thereto. Flag K

Typed list of pending cases called for is sent. 5537

Sd/ 21/1

(Peter).

21/1.

TYPING SECTION * 23 JAN 1932 * GENL & REV SECTT

11) This may be sent to M C with a Dft, with a request to expedite their disposal.

22/1/32

Sd/ 22/1

Draft attached

Sd/ 22/1

General and Revenue Secretariat | Misc 3 File No. | of 193 1-2

Serial No.

No 1013 & 27.1.32 from the Madras Commissioner forwarding Copy of the petition therein referred to in Continuation of this Office letter No. C/57 & 13.1.32.

Letter No. C 769/31-32 & 20.4.32 from the Madras Commissioner stating that it is reported that no fresh orders Contrary to Manool and the previous orders have been issued as alleged by the petitioners and that the Contention of the petitioners that Sri Parakala Mutt should not be given any share of Nivedana during private Services is one of the issues in the Panyara Manyam case under enquiry & report of a Commissioner appointed by Govt.

(3) If agreed, this may be awaited

Govt 28/1/32

28/4

For Secy)

For perusal

4/5/32

1st Member

Petition from certain residents of Illelkote re: certain "Maryades" alleged to have been shown in an Inscription to Sri Parakala Matha

Mug Fil No. 165 of 1931.

General and Revenue Secretariat

Draft ~~corrected~~ letter to Mysore Commr is submitted for approval and issue Refer paras 13 to 16 supra

98
30/5

14 Inc 31/5

1 JUN. 1935
GENL. & REV. SECTT.

Issued No 1626 dy 6-6-1935 to the Mysore Commissioner enclosing [illegible]

Letter no H.C 131/34-35 dy 26/6/1935 from the Mysore Commissioner forwarding for reference copy of his order in appeal No 13 of 1933-34 dy 27/11/34 about the Pamgara inscriptions to Sri Parakala Matha

[illegible] ~~Letter~~ refer to paras 14-16 supra

~~submitted~~

GV
3/8

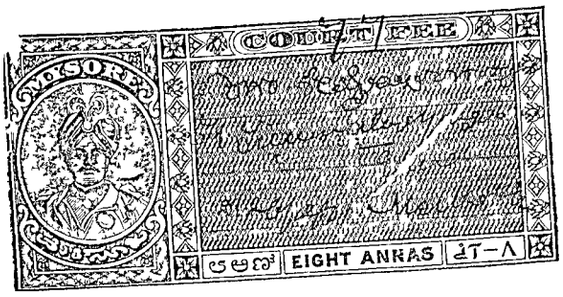
For perusal. If further action is necessary.

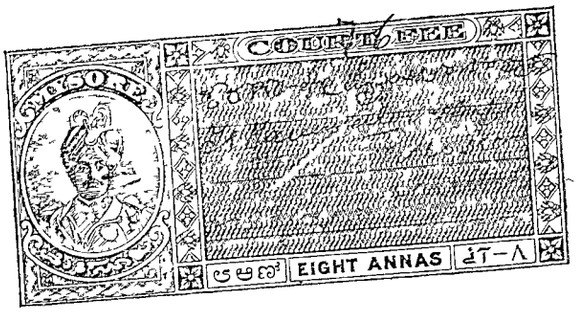
3/9/35

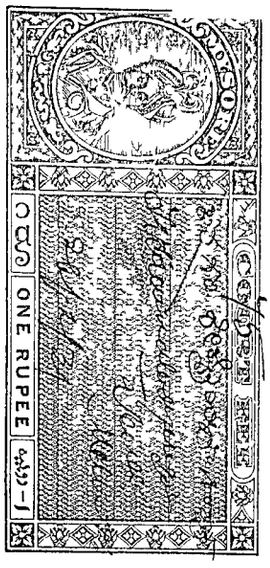
B.V.N.Rao

Gen: Secy

Th 4/9 4/9







Re 2 52
Rs 32

3431-40 - 2 ఏప్రిల్ 1921

30-12-21

"In all Sirkar and Sevartha Katte
sevas, the special right of the Mutt should
be enforced in all occasions of Nivedana
the Mutt should be given its share on
the full quantity of articles offered
for Nivedana as the Archaka gets
the Devamsa" ಎಂದೂ

The Temple Peshkar and the Parupathyagar
should be instructed that this order is
strictly carried out" ಎಂದೂ ಸೂಚಿಸಿದ್ದಾರೆ
ಇದನ್ನು ಅನುಸರಿಸಿ: ಈ ಪತ್ರದಲ್ಲಿ ಸೂಚಿಸಿರುವ ಆದೇಶವನ್ನು
ಪಾಲಿಸಲಾಗಿದೆಯೆಂದು ಅಧಿಕಾರಿಯವರು ತಿಳಿಸಿರುವುದನ್ನು
ದಯವಿಟ್ಟು ಅನುಸರಿಸಿ ಅಧಿಕಾರಿಯವರಿಗೆ ಪತ್ರದ ಮೂಲಕ ತಿಳಿಸಲಾಗಿದೆ.
ತಮ್ಮ ವಿಶ್ವಾಸಿ
(ಸಹಿ) H.S. Nanjundaiah
Peshkar
26/12/31.

GENL & REV SECT
696
II

Mem 165-31-3

కొన్ని ముఖ్యమైన సంస్థానాదేశాలు అంటే ఇలాంటి
కొన్ని సలహాలు పాంథియన్ రూపాలు చేయడంలేని
చాలా ఉంటాయి

Mighty Br
Welcome home a visit of
the hunting camp - the whole
region was very wild
+ this Africa hunting
with the Prince
+ they were
Duke

మేలుకొలిపే నివాసిగళ్ళు రాత్రి ద్వగగ ఈ పని చేయవచ్చు

1 ... మేలుకొలిపే ప్రయత్నం చేయడానికి పళ్ళశ్రీ కారకాలు ఉన్నాయి
గళ్ళవలగిదే లవుమత్కార్యదగళ్ళు నజీయుర్వేలవే.

2 ఈమత్కార్యదగళ్ళు శ్రమోమడ ప్రాంతగళ్ళవలసరి
యుందనిరూపవల్లద ఉతాపిణ అల్పస్ భద్రాంధ్రాంతరగళ్ళ్ భాషాయదింద
కేలవ్రదినగళ్ళంద నజీయుర్వేలవే.

3 ఈవిషయాంతరగళ్ళు నవ్విద్యాంధ్రాంధ్రు నిశ్చిత్రంవాదవు
కార్యక, కోంప్తిరుత్తే అదు నిస్సూరెని నియంగిస్థన భ్యయంగిరువుదిల్లవు.

4 మీలగిరువల్లు 1830 నే నైద్రాబాదు నవ్వున్న గ్రామతదవరుగా ఇన్నాళ్ళ
దిశీల్లిహింద తంతే నవ్విద్యాన దొళ్ళు 3431-40 Encl one file Mem 1-20-28

నేనేనంబీకి ఆడోరాగిరుత్తే

నదురిలవు నైద్రాబాదోళ్ళ నమూదు ఇల్లవే, నైదినగ్రామగళ
పర్యవేక్షణ విధవి, మామూలు ఇల్లవే, యూవాగ్గ్ళు ఇల్లవే ఇరువ
ఆనాదియాగిగ్రామగళ నుంచి ధర్మరక్షకాలదారభ్యగళు ఎరుపతు చౌ
భ్రిభ్రారుషేరుగళు నీలమిసీలపాగైదారరు భ్రష్టాచగళు ఎవ
రుగళిగే ఆనేకకోందతిగళు, ఆవమర్యాదేగళు దొళ్ళుగళు
సకలుంతాగువంద ఆనేకమర్యాదేగళన్నుమిరాసుగళు ఇన్నా
గ్రామతదవరుశీల్లవరు చెనిపేయిల్లవే ఎంబ విషయవాగిసరకా
అధికారిగళు ఆడోరుమాండి రోందతిగళన్నే తీర్మానత్తే ఎంబాంతే.

ఈవిషయాలదొళ్ళు 1830నీ ఆగస్టినింద తంతిరువు ఇరువ
దన్ను నిశ్చయవాదవే తాత్కాలికవాదవేగళిగింతాగుమాంతే నేలవీనా
నారాయణాస్వామి జీవనవాదవేదొళ్ళు పత్రసూచనగళు ఎల్లరు
రవపేయిద ఉపయోగళన్నన్న తీర్మానవంతేయిం నినగిగ్రహిస్తగళన్న
ల్లవే ఇదువరేగూ నజీయుదినగుమవమర్యాదేగళన్నన్నుపు
తదవరుశీల్లవుంతే సంబంధిసిదవు ప్రస్తుత మేగళన్నని ఇల్లవేంతే
భద్రవాగి ఆంతరిలో ఉత్తీర్ణరుగళు ఆదాగిదేయా తెలపవసన్నగిరువ నే.

ఉపాధ్యాయ వృత్తి ప్రవేశ పరీక్ష ఉత్తీర్ణత అవసరం లేదన్న ప్రభుత్వ నిర్ణయం

ప్రాథమిక విద్యా సంచాలకులు 1830 నాటి ఉత్తర్వులను ఉటంకిస్తూ ఉపాధ్యాయ వృత్తి ప్రవేశ పరీక్ష ఉత్తీర్ణత అవసరం లేదని స్పష్టం చేయడం

ప్రాథమిక పాఠశాలల్లో ఉపాధ్యాయ వృత్తి ప్రవేశ పరీక్ష ఉత్తీర్ణత అవసరం లేదని ప్రభుత్వం ఇచ్చిన ఉత్తర్వులను ప్రాథమిక విద్యా సంచాలకులు ఉటంకిస్తూ ఉపాధ్యాయ వృత్తి ప్రవేశ పరీక్ష ఉత్తీర్ణత అవసరం లేదని స్పష్టం చేశారు. ఈ మేరకు ప్రాథమిక విద్యా సంచాలకులు చక్రధర్ బాబు గురువారం ఉత్తర్వులు జారీ చేశారు. ప్రాథమిక పాఠశాలల్లో ఉపాధ్యాయ వృత్తి ప్రవేశ పరీక్ష ఉత్తీర్ణత అవసరం లేదని 1830 నాటి ఉత్తర్వులను ఉటంకిస్తూ ప్రాథమిక విద్యా సంచాలకులు ఈ ఉత్తర్వులు జారీ చేశారు. ఈ ఉత్తర్వులు

App. F. G. 9]

GOVT. OF H. H. THE MAHARAJA
OF MYSORE

GEN. & REV. SECRETARIAT

1513 Imc — 27-1—32 ...

Mysore 165-31-4

OFFICIAL MEMORANDUM

No .....

The accompanying Petition Registered
No ... 6...7...6... dated.... 31/12/31
received at the General and Revenue
Secretariat from ... the Secretary Indian Merchants Chamber Bombay
regarding the Complaint of the
Certain Merchants and
others against the Customs
Authorities in Bombay
in connection with the levy
of Local Octroi

is forwarded, ~~together with~~ its enclosures
to the.....Mysore.....
.....
.....for detailed
report & papers in the
case/1932 -

By Order,

for Secretary to Govt

BANGALORE
27/1/1932

[P. T. O

In Customs Misc No. 955 — 31
Mysore 165-31-2
13.1.32

WD 0204 -GPS—9250—

ತಜ್ಜಿದವರ..... ತಾಲ್ಲೂಕು

..... ಹೋಬಳಿ

..... ಗ್ರಾಮದಲ್ಲಿರುವ

.....ಗೆ

ಇಂಡೆಂಟ್ಗೆ ಹೊಕ್ಕುಳು.

.....

.....

.....

.....

.....

.....

.....

ಬೆಸರುವುದಲ್ಲ ಬೇಕೆ ಗುಜರಾಯಿಸಿಕೊಳ್ಳಿಂಡ .....

ಮೆಚ್ಚುವುದ ಚರ್ಚಿಯಾಗಿಲ್ಲ..... .....ಬಗ್ಗೆ

.....

.....ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ

ಬೆಂಗಳೂರು.

By Order,

Secretary.

M. C. 13]

No. S.769/31-32

Office of the Muzrai Commissioner
in Mysore.

Bangalore, 16th April 1932.

Ltr 165 31

From

S. P. RAJAGOPALACHARI, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore.

To

Rajasevaparayana
B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to Government of His Highness
the Maharaja of Mysore,
Financial
Department.

Sir,

With reference to correspondence ending with your letter No.1013/Muz. dated 26/27th January 1932 re certain maryades alleged to have been shown to the Sri Varavara Vathe unauthorisedly in the Sri Narayanaswami temple at Melkote, I have the honor to forward herewith for information of Government copy of report (No.R.29/A.C. dated 3rd April 1932) received from the Deputy Commissioner, Mysore District stating that no fresh orders contrary to Mamool and the previous orders have been issued as alleged by the petitioners and that the contention of the petitioners that the Vathe should not be given any share of the nivedana during private sevarthas is one of the issues in the Paryaya Maryade case under enquiry

The petition received with your letter No.957/Muz.16b-31-2 dated 13th January 1932 is returned, as desired.

I have the honor to be,

Sir,

Your most obedient servant,

S. Rajagopal

Muzrai Commissioner.

[illegible] No. [illegible]

[illegible] [illegible] [illegible] [

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 7th June 1935. 193

1626

Mcz 165-31

From

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to the correspondence ending with your letter No.C.769/31-32 dated 20th April 1932 regarding the petitions of certain residents of Melkote in the matter of Mariyades alleged to have been unauthorisedly shown to Sri Parakala Matha, I am directed to request you to be so good as to state how the Panyara Maryade case referred to in your letter has been decided.

I have the honour to be,
Sir,
Your most obedient servant,

for Chief Secretary to Government.

Appendix F G.–1]

SUBJECT

Diary No. of letter replied to

General and Revenue Secretariat

( )

the *193* .

Date of issue 8/6/35

Signed by B. Muddenkrishna/Asst

List of enclosures

Copied by

Examined by

Section Misc.

File No

Serial No

No 1626-

To

The Chief Commissioner in Mysore

Bangalore

Sir

With reference to the correspondence ending with your letter No. 769/31-32 dated 20.4.1932. regarding the petition of certain residents of Melkote in the matter of marriages alleged to have been unauthorisedly solemnised by Sri Parakala matha, I am directed to request you to so far as to ~~report~~ state how the Paryara Marriage case referred to in your letter has been

6

seeded.

I have de
8/31
for Chief Lee,

Draft BB.

M C 13.]
No. MC 131 Encl 1
36-35

14/3
28 JUN 1935

Mys Gs-31-5

17

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated, Bangalore, 25th June *193* 5

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

To

H. V. Ramaswami, Esq., M.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General..... *Department.*

BANGALORE SECRETARIAT
26 JUN 35

27/6

SIR,

Adverting to Chief Secretary's letter No.1626/Muz.165-61 dated the 8th June 1935 requesting to be informed as to how the Panyara Mariyade case pertaining to Sri Parakala Mutt was disposed of, I have the honor to invite your kind reference to this office order in Appeal No.13/33-34 dated the 27th November 1934 forwarded with this office letter No.D2 Dis.626/34-35 dated the 18th December 1934.

D-No 740
10/1/35

A copy of the said order is however herein enclosed for ready reference.

I have the honor to be,

Sir,

Your most obedient servant,

N. Madhava Rao

Muzrai Commissioner.

In the Court of the Deputy Commissioner, Mysore District.

Muzrai Mis. Case No. H.29/A.C.

Present:- C.S. Kuppuswamiengar, Esq.,

Deputy Commissioner.

Dated this 9th day of August 1933.

Appellants:-		Respondent:-
Srirangam Sampathkumarachar, and others of Melkote.	VS	Sri Parakalaswamy Mutt, Mysore.

This is an appeal remanded by the Muzrai Commissioner for further enquiry regarding the distribution of Panyara Mariyade to the Sri Parakalaswamy Mutt from the Melkote Temple.

On 21st October 1920, the members of the Lokaryavaramuni Sabha of Melkote Temple wrote to the Temple Peshkar that in connection with their seva in Melkote Temple on the occasion of Sri Pilalokacharya Tirunakshattram on the night of 21st October 1920 when "Manohara" Panyaram that was prepared for nivedanam, was taken out for Viniyoga, Khadri Seshachar, the Volagudi Parupathegar of the Temple raised an objection, all in a sudden, that for every hundred Mahoharams prepared, six should be given to the Mutt, that the Committee did not agree to it, but allowed only two Panyaras for every 100 as per practice in vogue, that as a result of this takrar much time was wasted and many devotees were put to considerable inconvenience and that the sabha had to meet some unnecessary lighting charges till very late hour, and that the Peshkar might settle the objection raised by the Parupathegar at once and arrange for the smooth performance of the seva.

(2) The Peshkar called upon the Parupathegar to furnish the authority, if any, under which six Paniyarams for every 10 were claimed, and directed that the distribution should be as per mamool, if no such authority was forthcoming. In reply, Khadri Seshachar sim said that the authority under which the

Mutt's

Mutt's claim was based could be found in the Temple records themselves, and requested that the authority under which the Sabha offered to the Mutt only two Panyarams instead of six for every 100 might be sent for and perused. The Peshkar ordered the same might at 11-45 P.M. with reference to a copy of English translation of the Sannad of 1830, that for every 100 rice cakes (Doseys) two must be given to the Mutt and likewise the other panyarams. Accordingly the Vinigogam was made at 2 A.M. on the day in question.

(3) Khadri Seshachar reported to the Peshkar on 1-11-1920 that his order, though unjust, had been given effect to, and that this irregularity should be brought to the notice of higher authorities. The Peshkar submitted these records to the late Deputy Amildar of French Rocks Sub Taluk on 25-11-1920 and the latter approved of the action of the former and directed that according to the terms of the Sannad of August 1830, the Mutt should be given two for every 100 Panyarams offered for nivedana. When this order reached the temple, Khadri Seshachar, Parupathegar, reported on 9-5-1921 that the Mutt gumastha would refuse to receive the Panyara Mariyades, if they were not given as per mamool, i.e., 6 for every 100. The Peshkar ordered that if the gumastha was not going to receive the Mariyadas, they might be deposited in a plate and the work proceeded further.

(4) The then agent of the Sri Parakalaswamy Mutt, Mysore, petitioned the Sub Division Officer, French Rocks, on 8th May 1921 and the Deputy Commissioner on 6th June 1921 complaining against the action taken by the Deputy Amildar and the Peshkar on their own authority. It was

also

also alleged that the Mutt was not only deprived of its due share in respect of Yajamanike and Swamya, but was also insulted. The Sub Division Officer, French Rocks, was called upon to enquire into the matter and submit a report. During January 1922 the Mutt alleged certain other irregularities on the part of the Melkote Temple servants.

(5) The Deputy Amildar of French Rocks, after holding an enquiry into the matter at Melkote submitted a report to the Sub Division Officer on 5-4-1922 accompanied by a list prepared by the Peshkar on the objections raised by the Mutt with particulars as to the difference of views between the Temple and the Mutt authorities, and suggested that pending final orders in the matter his order of 5-5-1921 to the Peshkar might take effect. The then Sub Division Offifcer Mr. S. Narayana Rao while submitting the records to the Deputy Commissioner stated that he had no reason to differ from the findings of the Deputy Amildar, and that the existing practice might be continued on the ground that no good case was made for any change.

(6) The Deputy Commissioner, Mr. P.F. Bowring, J.P., got from the Sri Parakalaswamy Mutt, the copy of the Sannad of 1830 under the terms of which the claims of the Mutt were based, had it translated and interpretted in English personally by Dr. R. Shama Shastry, B.A., P.H.D., the then Director of Archaeological Researches in Mysore, and passed orders in his No.C.657/20-21 dated 29th April 1922 to the effect that in accordance with the terms of the Sannad, for every 1½ seers to 50 seers of rice used in preparing Doseys, Pongal or other panyarams for nivedanam, the Mutt should be given for "Yajamanike" one Dosey, 3 padies of pongal, and one panyaram, and towards "Swamya" twice the Archak's Katle, and that if the quantity used for nivedanam should exceed this, a proportionate increase should be given to the Mutt, the unit of the quantity of increase being taken from a seer and a half to fifty seers.

(6) In giving effect to the above order of the Deputy Commissioner, the Deputy Amildar entertained some doubt as to the exact number of Panyarams to be given to the Mutt for "Swamya" as it depended on the number of panyarams given to the Archak who is said to receive a fixed quantity behind the curtain as "Devamsha Katle" and something in front of the curtain as Katle viniyoga. The temple servants offered the Mutt gumastha for Swamya twice the quantity given to the archak in front of the curtain, ignoring for purposes of calculation, the quantity or number given to him behind the curtain, as it was 'Devamsha Katle" or Deity's share which the ~~archak~~ Archak was entitled to receive it on behalf of the Deity, by virtue of his office. The Mutt gumastha claimed that he should be given twice what was given to the archak whether in front of or behind the curtain, and as it was not done so, he would not receive the mariyade. The Deputy Amildar solicited clear instructions in the matter.

(7) The Deputy Commissioner ordered on 20-10-1922 that the Mutt should be given for every 1½ seers to 50 seers of rice, one cake for "Yajamanike" 3 Padies of Pongal, and one Panyaram, and for "Swamya" twice what is given to the Archak whether behind or in front of the curtain, and that a proportionate increase should be given for increase of rice up to 100 seers or over.

(8) Srirangam Sampathkumarachar and others filed a petition before the Deputy Commissioner (Mr. B.Ramaswamaiya) during March 1923 praying for a review of the order dated 20-10-1922. The Deputy Commissioner declined to interfere in the matter as the order was passed by his predecessor, and issued to the petitioners an endorsement accordingly.

(9) An appeal was preferred before the Muzrai Commissioner and he in his order No.App.10 of 1922-23 dated 12th October 1923 observed that the material before him was not sufficient for the final disposal of the appeal and therefore remanded the case for taking such additional evidence as may be forthcoming and for recording definite findings on the following points:-

(a) Whether the Nirup has been correctly interpreted and translated.

(b) How the remark "Whether behind, or in front of the curtain" came to be introduced in the endorsement of the Deputy Commissioner and where its equivalent is found in the Nirup?

(b) Whether the provisions of the Nirup apply to Sirkar katle and Sevartha katle occasions alike, or to the former only,

and (c) If confined to Sirkarkatle occasions only, whether the Mutt has been in undisputed enjoyment of its share of Nivedana on occasions of Sevarthakatle Utsavas also, uninterruptedly since 1830 or any other subsequent year, so as to give a prescriptive right which could be enforced now.

The practice in respectum of this matter in other Vishnu Temples in the State and more particularly the Palace Muzrai Institutions should also be ascertained and reported.

(10) The case was taken on file by the Deputy Commissioner and the appellants and the respondent were given an opportunity to file their documentary evidences through their Counsels Messrs. N.T. Gopala Iyenger and K. Chendrasekharaiya respectively. After hearing the arguments advanced by both parties and perusing the records, the Deputy Commissioner submitted a report to the Muzrai Commissioner with his letter No.H.291/M.C. dated 7-2-1930 furnishing replies on all the points observed in Muzrai Commissioner's order No.App.10 of 23-24 dated 12-10-1923 and stating that the provisions in the Nirup of 1830 apply to all sevas both Sirkar and Sevartha ones, and that as the said Nirup is recognised as a genuine document, the order of Mr. P.F. Bowring dated 20-10-22 which is equitable and just should be enforced.

(11). The Muzrai Commissioner in his order No.Mp.10 of 23-24 dated 6-10-1930 while agreeing generally with the findings of the Deputy Commissioner, has observed that what the archak gets behind the curtain is not in his capacity as archak but it is what is known as "Devamsu" or the Deity's portion, that the archak takes this not because of his office as archak but as a representative of the Deity what is due to him as archak i.e., a functionary in the temple he gets in front of the curtain, that this is called his katle and the Matha on account of its high position has to get twice what the archak gets, that so far Mr. W.F. Bowring's decision in this respect is not altogether in accordance with the practice obtaining in the other temples in the State, that as for the claim of the Mutt for getting twice what the archak gets outside the curtain is concerned, there can be no dispute and Mr.Bowring's order on this point is confirmed, and that as regards what is given inside the curtain a further enquiry may be made as to whether the practice in Mysore referred to above is the recognised mamool in respect of all temples, and if so, on what grounds the Matha claims exemption from the well recognised practice.

(12) The case was taken on file by the Deputy Commissioner on 8th March 1932 and opportunities were given to let in evidence by both parties in support of their contentions. Seven witnesses have been examined by the Respondent, and 8 by the Appellants. The following exhibits were filed.-

BY THE RESPONDENT.

Exhibit(A). Petition dated 19th July 1922 from Krishna Iyengar Paricharak of the Sri Vedanthachar's Sannidhi at Melkote to the late Sub Taluk Office, French Rocks.

" (B) Report dated 5-5-1926 from K. Alasinglachar, Parupathegar to the Peshkar of Melkote Temple.

" (C) Original Yadi No.N.Dis.C.179 of 25-26 dated 3-9-25 issued from the District Office to the Sri Parakala-Swamy Mutt intimating that orders have been issued to all Taluk Amildars to the effect that temple servants who officiate in obsequies should not enter the temple and partake the temple work during the period of pollution.

Exhibit (D). Letter dated 3-5-1926 from Tiruvoimoli Ramanujachar to Chami and Sampathkumaracharya of Melkote.

BY THE APPELLANTS.

Exhibit I. Katle Patti of 1878 or list showing the rate of distribution of Miras and Sokka Vetcha among the Temple Servants during Hetchukatte utsavas.

II(a) to II (e). True copy of Sannad of the year 1830 granted by His Highness the Maharaja late Sri Krishnaraja Wodeyar Bahadur III to the Sri Parakalaswamygalavaru.

" III. Miras Patti of Melkote Temple of the year 1876.

" IV. Patti showing the distribution of cocoanuts in Melkote Temple during 1845.

The case was finally argued on 8th July 1933 by Mr. V. Lingappaiah for appellants and by Mr. K.T. Bhashyam for the Respondent.

ORDER.

The case has been remanded to this Court by the Muzrai Commissioner for a finding in respect of only one issue, viz.,

As regards what is given inside the curtain (Devamsa) whether the practice in Mysore referred to is the recognised mamool in respect of all temples and if so on what grounds the Mutt claims exemption from the well-recognised practice.

A number of witnesses have been examined and the case was argued at great length by Mr. Lingappiah for the appellants and Mr. K.T. Bhashyam for the Respondent.

An attempt was made to throw some doubt on the genuineness of the Nirup of 1830. As observed by the Muzrai Commissioner, it is late in the day to set up this plea. The question whether the Mutt is also entitled to get twice what the Archak gets even in private sevas need not be considered as my predecessors have held that the rule applies to both Government and private sevas and the Muzrai Commissioner has not disturbed that finding.

Coming to the issue about "Devamsa", I may state at once that the evidence let in by either side is not very conclusive. It is an admitted fact that "Devamsa" as the very name indicates is the deity's share. The question is whether "Devamsa" is also a kattale just like other kattales existing in the temple at Melkote and other places. Mr. Lingappaiya contends that "Devamsa" is not a kattale and that it is only the offering made as the share of the deity behind the curtain and that the Archak as the representative of the deity takes it. Mr. Bhashyam argues that it is only a kattale and that the Mutt is entitled to get twice the quantity. The Sannad does not in express terms indicate that "Devamsa" is or is not a kattle. The practice in other temples is that "Devamsa" is taken by the Archak. The Sri Parakal Mutt has been given certain exclusive privileges in the temple at Melkote. The Mutt seal is affixed to the temple doors and the Vajramudi Box. It is obvious that being the Guru of the Royal house of Mysore, he has been given all these privileges. The Mutt servant backed up by certain interested parties (all Tengales) have all along been at logger-heads with the Mutt. The evidence as regards mamool let in by the appellants is certainly not disinterested. We have thus to depend on the Sannad alone. I have carefully gone through it. The Sannad goes to show that the Mutt is entitled to get twice the Archak Katle as Swamya. The question then is whether "Devamsa" is archak's katle. I answer the question in the affirmative for the following reasons:-

(1) In Kodi Tirunal Utsava, Kombinabella is offered and distributed. The Archak gets only "Devamsa" out of this and yet the Mutt gets twice the quantity as Swamya.

(2) Similarly, on the occasion of the Uyyali and Navaratri Utsavas, the Archak gets only "Devamsa" out of the cocoanuts distributed. Against the Archak's share (Devamsa) of 7 cocoanuts, the Mutt gets 20 cocoanuts.

(3) On certain occasions, Alankara is sent to the Mutt. This is set apart inside the curtain. Seeing that no katle is given to the archak apart from Devamsa inside the curtain, it must be presumed that what is set apart as Alankara is w twice the Devamsa.

(4) The relevant words so far as this case is concerned used in the Sannad are " ಅರ್ಚಕರಿಗೆ ಸಲ್ಲುವ ಕಟ್ಟಳೆಗೆ ದ್ವಿಗುಣ " Devamsa is a fixed quantity which the archak gets He also gets his katle outside the curtain. Both must be considered to be " ಅರ್ಚಕರಿಗೆ ಸಲ್ಲುವ ಕಟ್ಟೆ "

(5) If Devamsa is not to be taken into consideration, the archak would on the whole get very much more than what the Mutt would get. This could not possibly have been the intension of His Highness.

(6) The witnesses examined on behalf of the Mutt (some of them being Tengales) speak to the mamool of the Mutt getting as Swamya twice the Devamsa.

(7) Much reliance cannot be placed on the Kattle patties of 1876 and 1878. It is significent that no mention of Swamya is made in them.

(8) The interpreation that "Devamsa" is also archak-katle is in accordance with the translation of the Sannad by Dr. Shama Sastri.

Taking all circumstances into consideration, I hold that "Devamsa" is also a kattale and that the Mutt as per terms of the Sannad is entitled to get twice the quantity of Devamsa. The Sannad gives this privilege to the Mutt only in regard to the Cheluvarayaswami Temple at Melkote. There can therefore be no analogy as regards what happens in other temples.

"COPY" Sd/- C.S. Kuppuswamiengar,
Deputy Commissioner.

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For Deputy Commissioner,
Mysore District.

IN THE COURT OF THE MUZRAI COMMISSIONER IN MYSORE, BANGALORE.

Appeal No.13 of 1933-34.

Appellants:-

Salva Narniengar

Srirangam Sampathkumarachar and others.

Vs.

Respondents:-

The Honorary Superintendent, of the Sri Parakala Mutt.

Subject.

Payment of twice the Devamsakatle Vinıyoga to the gumasta of the Sri Parakala Mutt, in the Sri Narayanaswami temple at Melkote.

Facts of the case

The facts of the case are fully set forth in the order of this court in Appeal No.10 of 1923-24. All the points involved in the case, viz., the genuineness of the Nirup of 1830, the applicability of the provisions of the Nirup to Sirkar and Sevarthakatle Utsavas, the claim of the Mutt for getting twice what the archak gets outside the curtain as archak-katle were finally disposed of in the above appeal. The only point remaining, viz., the payment of twice the Devamsakatle i.e., what the archak gets inside the curtain was referred to the Deputy Commissioner for further enquiry.

For reasons explained in his order dated 9th August 1933, the Deputy Commissioner has held that "Devamsa" is also a kattle and that the Mutt as per the terms of the Sannad, is entitled to get twice the quantity of ~~Devam~~ Devamsa and that the privilege is only in regard to the Sri Cheluvarayaswam temple at Melkote. On a review petition presented by the Mutt on 10th October 1933, the Deputy Commissioner in his subsequent order dated 12th Octobe 1933 modified his original order and directed that the Sannad gives this privilege to the Mutt in regard to the Sri Narayanaswami and other temples at Melkote.

It is against these orders that the petitioners have appealed to this Court.

The chief grounds of appeal, among others, are:-

(i) That the Deputy Commissioner admitted in evidence unauthenticated copies of certain Sannads produced by the Sri Parakala Mutt whereas unauthenticated of certain documents produced by them were refused unless the originals thereof were produced.

(ii) That the translation rendered by Dr. Shama Sastry is not correct and the decision should not therefore be based upon the translation but it should be on the wordings of the original Nirup itself.

(iii) That the extension of the order to temples other than Sri Narayan - swami and the Sri Cheluvarayaswami, is erroneous.

(iv) That the orders passed by the Deputy Commissioner go much beyond the terms of reference made by the Muzrai Commissioner in the re-mand order and that it is nowhere said in the Nirup that the Mutt should be given twice the quantity of Devamsa.

(v) That the statement of witnesses examined on behalf of the Mutt are not reliable as most of them are vadagalais and disciples of the Mutt.

(vi) That the second amending order was ex parte.

The case was heard on 3rd November 1934 when the appellants were present and the respondent was represented by Mr. K. T. Rhashyam Iyengar, Advocate.

Order. 24th November 1934.

The point at issue was argued at great length and, in the absence of a distinct direction in the Nirupa has to be decided in accordance with its original spirit, which is one of conceding to the Respondent Mutt unequivocal precedence at Melkote. The clause of the Nirupa dealing with the ceremonies makes no distinction between what takes place behind the curtain and in front of it. The two stages must, therefore, be deemed to be parts of a continuous programme. If the Mutt is entitled by way of Samya to twice the archak's share, it does not seem to matter whether the latter is distributed in two portions or in one. I am not convinced by the argument that the archak plays two different roles and that the perquisites which he receives in front of the curtain alone, should be taken into consideration. In a matter like this, neither the practice observed in other Vaishnava temples with reference to the Mutt (which is not favourable to its present claims) nor that observed on other occasions at Melkote itself (on which the Deputy Commissioner has relied) can furnish a safe analogy. But looking to the Nirupa itself and its obvious, unexpressed intentions, I find no impropriety in supporting the Deputy Commissioner's decision that the Mutt should get twice as much as the archak gets during the whole of the ceremony.

The Deputy Commissioner's second order to the effect that this principle should be observed not only in Sri Cheluvarayaswami temple, but also in other institutions at Melkote mentioned in the Nirupa is not of much consequence if, as the appellants contend, no occasions can arise for its practicable application.

I therefore dismiss the appeal.

Sd/- N. MADHAVA RAU,
Muzrai Commissioner.

"COPY"

For Muzrai Commissioner.

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